

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOHN MELICHAREK,

Movant,

-against-

UNITED STATES OF AMERICA,

Respondent.

21-CV-1116 (LGS)

07-CR-0907 (LGS)

ORDER TO ANSWER, 28 U.S.C. § 2255

LORNA G. SCHOFIELD, United States District Judge:

WHEREAS, *pro se* Movant filed a motion to vacate judgment pursuant to 28 U.S.C. § 2255, (the “Motion”). No. 21 Civ. 1116, Dkt. No. 2; No. 7 Crim. 907, Dkt. No. 248.

WHEREAS, the Motion should not be summarily dismissed as being without merit. It is hereby

ORDERED that, the Clerk of Court shall electronically notify the Criminal Division of the U.S. Attorney’s Office for the Southern District of New York that this order has been issued. It is further

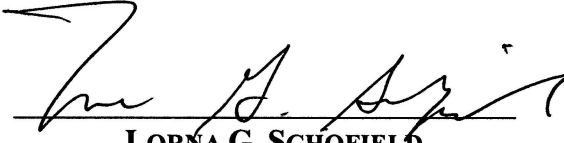
ORDERED that, **within sixty days of the date of this Order**, the U.S. Attorney’s Office shall file an answer or other pleadings in response to the Motion. Movant shall have **thirty days from the date on which Movant is served** with Respondent’s answer to file a response. Absent further order, the Motion will be considered fully submitted as of that date. It is further

ORDERED that, all further papers filed or submitted for filing must include the criminal docket number and will be docketed in the criminal case. It is further

ORDERED that, the Clerk of Court shall serve a copy of this Order on Movant.

SO ORDERED.

Dated: February 18, 2021,
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

